

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 95-1156-T - ORDER NO. 95-1711 ✓

NOVEMBER 29, 1995

IN RE: The matter of the failure of certain)
holders of Certificates of Public)
Convenience and Necessity listed on) ORDER
the attached Appendix to file with the)
Commission evidence of Insurance.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of Commission Order No. 95-1592 in the instant Docket, which required all motor vehicle carriers listed in the Appendix thereof to appear before the Commission on November 22, 1995, at 11:30 A.M. to show cause why the Commission should not revoke and cancel their Certificates for violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law of South Carolina in respect of failure to file evidence of insurance.

The information upon which the Commission based Order No. 95-1592 was developed by the Transportation Department through a procedure involving periodic inspections of the Commission's files and records. From this data, the Commission Staff developed a list of motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law (Appendix of Order No. 95-1592).

The Transportation Department staff notified all of the carriers listed in the Appendix of Order No. 95-1592 that because

of their failure to file evidence of liability and/or cargo insurance, they were not in compliance "with the terms of the Motor Vehicle Carrier Law of South Carolina, and the Rules and Regulations issued thereunder." Subsequently, on October 20, 1995, the Commission issued Order No. 95-1592 setting a Rule to Show Cause hearing for those motor carriers who had not responded to the prior notifications of noncompliance.

A public hearing regarding this matter was held on November 22, 1995 at 11:30 AM. Florence P. Belser, Staff Counsel, represented the Commission Staff. None of the Respondents named in the Appendix of Order No. 95-1592 appeared at the hearing. Joe Rogers, Manager of the Transportation Department of the Commission, testified for the Commission Staff.

With respect to all the Respondents listed in the Appendix attached hereto, the Commission is of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by all listed carriers should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Motor Vehicle Carrier Law [S.C. Code Ann., §58-23-10 et seq. (1976)].

The Commission also finds that the Rule to Show Cause should be dismissed as to the carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:


1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.

2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.

3. That this Rule be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)

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APPENDIX

CARRIER

CLASS

Solomon Brunson DBA
Brunson's Taxi Service
Route 4 Box 940
Mullins, SC 29574
(Public Liability & Property Damage)

C

E. Chester Delk DBA
Chariots of Charleston
P O Box 60388
North Charleston, SC 29419-0388
(Public Liability & Property Damage)

C

Celia B. Goodman
515 N. McQueen St.
Florence, SC 29501
(Public Liability & Property Damage)

C

Thomas Hair, Jr.
1015 Friend Street
Newberry, SC 29108
(Public Liability & Property Damage)

C

Ray Anthony Pea DBA
Pea Express Charter Service
190 Leonard Road
P O Box 128
Duncan, SC 29334
(Public Liability & Property Damage)

C Charter

Timothy and Zade Conner DBA
Princess Limosine
5444 Hunington Marsh
Murrells Inlet, SC 29576
(Public Liability & Property Damage)

Tom Lux DBA
Princess Limousine
2232 Jefferson Circle
Little River, SC 29566
(Public Liability & Property Damage)

C Charter

Tim C. Brown DBA
Quality Tours
433 Hillsboro Road., NE
Orangeburg, SC 29115
(Public Liability & Property Damage)

C Charter

Lois Cureton DBA
Strand Transportation
6314 G. Wedgewood
Myrtle Beach, SC 29577
(Public Liability & Property Damage)

C